

Remarks/Arguments:

With the present response, claims 1, 3-8, 10, 11, 17, 30-33, 47, and 51 are under examination. Claims 9, 12-16, 18-29, 48, and 50 are withdrawn from examination. Method claims 34-46 and 49 have been canceled. The Examiner is thanked for the indication that claims 7, 8, and 17 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Claim rejections under 35 U.S.C. §102

Claims 1, 3-6, 10, 11, 30, and 47 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,068,634 to Lorentzen Cornelius et al. ("Cornelius"). Applicants respectfully traverse this rejection.

Rejection of independent claim 1

Claim 1 recites, *inter alia*, an introducer, having a retrograde portion and an anterograde portion, for deployment of an endoluminal device in a body lumen in a distal location from a proximal location, the device having a compressed configuration and an expanded configuration. The introducer comprises a shaft having a distal tip, *an inner sheath mounted concentrically over the shaft, wherein the endoluminal device is mounted concentrically over the inner sheath in the compressed configuration*, and an anterograde sheath attached proximally to the distal tip, mounted over at least a distal portion of the endoluminal device in the anterograde portion of the introducer. The anterograde sheath has an open proximal end such that distal movement of the anterograde sheath unsheathes the portion of the endoluminal device contained thereunder. The introducer further includes anchoring means in at least one of the retrograde portion or the anterograde portion for anchoring the endoluminal device proximal end after expansion of the proximal end into the expanded configuration in the body lumen and for minimizing relative axial movement between the proximal end of the device and the body lumen during unsheathing of a remaining portion of the endoluminal device distal of the proximal end.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) (Emphasis added) and M.P.E.P. §2131.

Cornelius fails to disclose or suggest every limitation of claim 1, namely, a shaft and an inner sheath mounted concentrically over the shaft, wherein the endoluminal device is mounted concentrically over the inner sheath. Cornelius discloses an inner shaft 18 that extends from distal tip 28 to a proximal end. An outer shaft 16 extends from the proximal end and terminates prior to distal tip 28, at the proximal end of balloon 14. Stent 20 is mounted *on balloon 14*, which extends from distal end of outer shaft 16 to distal tip 28. Stent 20 is *not* mounted concentrically over an inner sheath, as is recited in claim 1. Although the Office Action characterizes outer shaft 16 as a sheath, even if shaft 16 were considered a sheath, no portion of the stent is mounted over it.

For at least the reasons recited above, Applicants respectfully submit that the rejection of claim 1 is improper and respectfully request reconsideration and allowance of the claim. Claims 3-6, 10, 11, and 30 all ultimately depend from claim 1 and Applicants respectfully submit that these claims are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 1. Applicants respectfully request reconsideration and allowance of claims 3-6, 10, 11, and 30.

Rejection of independent claim 47

Claim 47 recites, *inter alia*, an introducer for deployment of an endoluminal device in a body lumen in a distal location from a proximal location, the device having a compressed configuration and an expanded configuration. The introducer comprises a retrograde portion and an anterograde portion comprising a distal tip and an anterograde sheath attached proximally to the distal tip and mounted over at least a distal portion of the endoluminal device in the anterograde portion of the introducer. The anterograde sheath has an open proximal end such that distal movement of the anterograde sheath unsheathes the portion of the endoluminal device contained thereunder. A shaft is attached to the distal tip and extending concentrically through a central lumen defined by the anterograde portion and retrograde portion. *An endoluminal device is mounted concentrically over the shaft in the central lumen* and has a distal portion contained by the anterograde portion and a proximal end contained by the retrograde portion. The distal portion is constrained in the compressed configuration by the anterograde sheath and adapted to expand into an expanded state as the anterograde sheath is advanced distally. An inflatable balloon is mounted radially inside the retrograde portion and sized to anchor the endoluminal device proximal end against the body lumen after expansion of the proximal end into the expanded configuration to minimize relative axial movement between

the proximal end of the device and the body lumen during unsheathing of the endoluminal device distal portion.

Cornelius fails to disclose or suggest the claimed limitation of the endoluminal device being mounted concentrically over the shaft in a central lumen defined by anterograde and retrograde sheaths, as is recited in claim 47. As shown in the Cornelius figures, large portions of stent 20 are not covered, and therefore sleeves 22 and 24 of Cornelius can not be interpreted as forming a central lumen. Accordingly, stent 20 cannot be characterized as being located within the central lumen defined by the anterograde portion and the retrograde portion, as is recited in claim 47.

For at least the reasons recited above, Applicants respectfully submit that the rejection of claim 47 is improper and respectfully request reconsideration and allowance of the claim.

Claim Rejections under 35 U.S.C. §103(a)

Claims 31-33 and 51 stand rejected under 35 U.S.C. §103(a) as unpatentable over Cornelius in view of U.S. Patent No. 5,201,757 to Heyn and U.S. Patent No. 6,056,759 to Fiedler. As neither Heyn nor Feidler cure the deficiencies of Cornelius as set forth above and claims 31-33 and 51 ultimately depend from claim 1, Applicants respectfully submit that claims 31-33 and 51 are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 1. Reconsideration and allowance of claims 31-33 and 51 is respectfully requested.

Withdrawn claims

Claims 9, 12-16, 18-29, 48, and 50 are presently withdrawn. For withdrawn claims dependent upon claims deemed to be allowed in the next Office Action, Applicants respectfully request reintroduction and allowance of these claims.

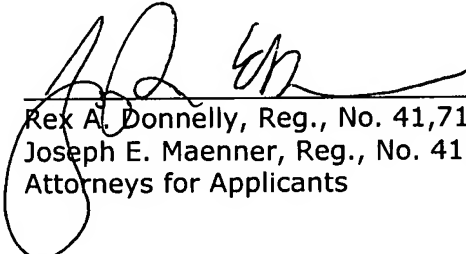
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Conclusion

In light of the above arguments, Applicants respectfully submit that the present application is in condition for allowance. Prompt reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,



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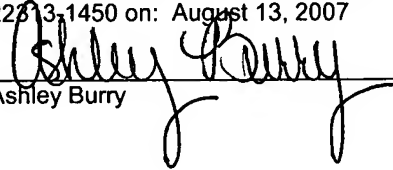
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